

Message Text

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SUBJ PRESS REPORT ON US EFFORT CLEAN UP GREAT LAKES

1. SUMMARY. THE INFLUENTIAL TORONTO GLOBE & MAIL ON MARCH 13 PUBLISHED AN ARTICLE BY ROSS MUNRO, DATED LINED WASHINGTON, AND ENTITLED "RED TAPE SLOWING U.S. EFFORT TO TREAT GREAT LAKES WATER." ARTICLE CRITICIZES US EFFORT IN GREAT LAKES AND REPORTS THAT US HAS CHANGED ITS INTERPRETATION OF IMPORTANT PHRASE OF GREAT LAKES WATER QUALITY AGREEMENT (GLWQA) IN DEFENSE OF ITS POOR PERFORMANCE. END SUMMARY.

2. ACCORDING TO THE ARTICLE, CANADIAN AND ONTARIO GOVERNMENT AND US ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICIALS CONCUR THAT "THE US WILL NOT COMPLY THIS YEAR WITH THE TERMS OF THE GLWQA..." THIS FAILURE IS ATTRIBUTED TO "SO MUCH BUREAUCRATIC RED TAPE."

2. ROBERT SANSOM, "A FORMER EPA OFFICIAL" IS QUOTED AS SAYING "THE PROBLEM IN THE GREAT LAKES IS THE WORSE." ARTICLE CONCEDES THIS VIEW CONFLICTS WITH ASSURANCES BY EPA OFFICIALS THAT SPECIAL ATTENTION IS GIVEN TO GREAT

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LAKES REGION BECAUSE OF GLWQA.

3. UNFORTUNATELY, AND MOST DAMAGING TO IMAGE OF US EFFORT, ARTICLE GOES ON TO QUOTE AN UNIDENTIFIED EPA OFFICIAL AS CONCEDED THAT "HIS AGENCY CANNOT SAY WHETHER THE US WILL BE IN COMPLIANCE WITH THE 1972 AGREEMENT WHICH REQUIRES BOTH COUNTRIES TO HAVE THEIR WATER TREATMENT PROGRAMS AND FACILITIES 'EITHER COMPLETED OR IN PROCESS OF IMPLEMENTATION BY DECEMBER 31, 1975'". UNNAMED OFFICIAL ALSO CONCEDED THAT US "HAS CHANGED ITS INTERPRETATION OF THE PHRASE 'IN PROCESS OF IMPLEMENTATION'".

4. NOT SURPRISINGLY, ARTICLE QUOTES CANADIAN AND ONTARIO GOVERNMENT OFFICIALS WHO STATE THEIR INTERPRETATION OF THAT PHRASE AS MEANING THE ACTUAL CONSTRUCTION OF WATER TREATMENT FACILITIES. THE ARTICLE THEN SAYS "THE EPA OFFICIAL CONCEDED THAT THIS WAS THE CASE. 'WE WERE TALKING ABOUT GROUND-BREAKING QUITE FRANKLY', HE SAID."

5. ARTICLE CONCLUDES BY SAYING THAT CANADIAN OFFICIALS THINK THE NEW INTERPRETATION IS "STRETCHING IT A LONG WAYS" AND BY REPORTING THAT EVEN WITH NEW INTERPRETATION, ASSURANCES CANNOT BE GIVEN THAT THE US WILL BE IN COMPLIANCE WITH THE AGREEMENT.

6. COMMENT. EMBASSY, WHICH FOLLOWED NEGOTIATIONS OF GLWQA VERY CLOSELY, RECALLS THAT THERE WAS MUCH DISCUSSION OF THE PHRASE "IN PROCESS OF IMPLEMENTATION" BUT DOES NOT RECALL THAT US COMMITTED ITSELF TO "GROUND-BREAKING" AS THE CORRECT INTERPRETATION OF THAT PHRASE. IT IS EMBASSY'S RECOLLECTION THAT US GOVERNMENT RESISTED CANADIAN EFFORTS TO PUT WORDS TO THAT EFFECT IN THE LANGUAGE OF THE AGREEMENT. ACCORDINGLY, WHILE THERE MAY BE SOME DOMESTIC REASONS TO PUBLICIZE PROBLEMS CREATED BY RED TAPE, IT CLEARLY DOES NOT SERVE THE US-CANADIAN RELATIONSHIP (ASSUMING EMBASSY RECOLLECTION CORRECT) TO HAVE UNNAMED US OFFICIAL PUBLICLY CONCURRING IN CANADIAN INTERPRETATION OF US COMMITMENT.

7. EMBASSY WILL APPRECIATE DEPARTMENT'S LIMITED OFFICIAL USE

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COMMENT AND CONFIRMATION OR NOT OF ITS VIEW ABOVE OF US OBLIGATION UNDER GLWQA. EMBASSY WOULD ALSO APPRECIATE DEPARTMENT'S ASSESSMENT OF USG CAPABILITY TO FULFILL COMMITMENTS MADE UNDER AGREEMENT.
PORTER

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